

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2006-121612-001 DT
CR2007-102066-001 DT

02/01/2007

THE HONORABLE BARBARA L. SPENCER

CLERK OF THE COURT
P. M. Espinoza
Deputy

STATE OF ARIZONA

MARK H MENDOZA

v.

EBERTO JUAN HERNANDEZ SR. (001)
DOB: 11/04/63
Booking No.: P250050

MATTHEW MACLEOD

CORRECTIONAL HEALTH SERVICES
COURT ADMIN-CRIMINAL-CCC
COURT FORENSIC SERVICES UNIT
HEALTHCARE
MANDATES/COMPETENCY EVAL
PROGRAM
VICTIM SERVICES DIV-CA-CCC
DEBORAH DESPROIS PH D
668 N 44TH STREET
SUITE 300
PHOENIX AZ 85008

HEARING - RULE 11 - NOTICE OF APPOINTMENT

11:26 a.m. This is the time set for Initial Appearance on Bench Warrant and Rule 11
Competency Hearing.

State's Attorney:
Defendant's Attorney:
Defendant:

Juli Warzynski
Vicente Barraza for Matthew Macleod
Present

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A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Initial on Bench Warrant:

IT IS ORDERED that the Defendant be held non-bondable in both cases.

ISSUED: Release Order

Rule 11 Competency Hearing:

The Defendant is now in custody,

IT IS ORDERED relieving Dr. Desprois from the earlier appointment to evaluate the Defendant in this matter.

IT IS ORDERED appointing Dr. James Seward to conduct an evaluation of the above named defendant pursuant to Arizona Rules of Criminal Procedure 11.3 and A.R.S. § 13-4509.

The Defendant is charged with the crime(s) of: **CR 2006-121612-001 DT:** Count 1: Narcotic Violation, a class 4 felony committed on or about 4/21/06; **CR 2007-102066-001 DT:** Count 1: Resisting Arrest, a class 6 felony, committed on or about 01/09/07.

The Defendant is represented by: Matthew Macleod, 506-3028.

The Defendant is in custody and housed at the Durango Facility and the booking number is P250050.

IT IS ORDERED that counsel for the defendant shall provide the above-named expert with all police reports, charging documents, the competency screening evaluation report, and all other available medical, mental health and criminal history records within three judicial days of this date.

IT IS FURTHER ORDERED that the expert submit the **signed original** report to the Superior Court Forensic Unit no later than **02/26/07**.

IT IS FURTHER ORDERED resetting competency hearing before Judge Pro Tem Spencer for March 1, 2007 at 9:00 a.m. in courtroom #1303 of the Central Court Building at 201 W. Jefferson, Phoenix, AZ.

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IT IS FURTHER ORDERED that Correctional Health Services permit the mental health expert(s) to view the Defendant's medical file retained in the Maricopa County Jail.

The Court notes that it has previously been reported that the Defendant is enrolled with ValueOptions (General Mental Health).

IT IS FURTHER ORDERED affirming Commissioner Blomo's order of January 22, 2007 consolidating both cases for hearing purposes before the Rule 11 Court.

11:32 a.m. Matter concludes.